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Jay M. Sanders, Patent Attorney

INFORMATION DISCLOSURE
STATEMENT
Patent Application
Examining Group 1645
Docket No. MA-20CCCD4
Serial No. 10/633,023
Confirmation No. 5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1645
Applicants : H. Ernest Schnepf, George E. Schwab, Jewel Payne, Kenneth E. Narva, Luis Foncerrada
Serial No. : 10/633,023
Conf. No. : 5003
Filed : July 31, 2003
For : Nematicidal Proteins

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §1.97 and §1.98, Applicants would like to bring to the attention of the Examiner the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B.

Pursuant to 37 CFR §1.98(d), copies of the references cited on the attached Forms PTO/SB/08A and PTO/SB/08B are not provided herewith because copies of these references were submitted to the Office in prior U.S. Patent Application Serial No. 09/738,363 (filed December 15, 2000). Under 35 USC §120, the subject application (Serial No. 10/633,023) relies upon Serial No. 09/738,363 for an earlier filing date.

It is respectfully requested that the references listed on the attached Forms PTO/SB/08A and PTO/SB/08B be considered in the examination of the subject application and that their consideration be made of record.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statements. Though no fees are believed to be required for this paper, the Patent Office is hereby authorized to charge any fees required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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JMS/ehm

Attachment: Forms PTO/SB/08A and PTO/SB/08B

NOV 03 2003

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

2

Application Number	10/633,023
Filing Date	July 31, 2003
First Named Inventor	H. Ernest Schnepf
Art Unit	1645
Examiner Name	

Attorney Docket Number MA-20CCCD4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
1	US- 4,849,217	07-18-1989	Soares et al.	Please review all	
2	US- 4,948,734	08-14-1990	Edwards et al.	Please review all	
3	US- 5,093,120	03-03-1992	Edwards et al.	Please review all	
4	US- 5,186,934	02-16-1993	Narva et al.	Please review all	
5	US- 5,236,843	08-17-1993	Narva et al.	Please review all	
6	US- 5,262,158	11-16-1993	Payne et al.	Please review all	
7	US- 5,262,159	11-16-1993	Payne et al.	Please review all	
8	US- 5,262,399	11-16-1993	Hickle et al.	Please review all	
9	US- 5,281,530	01-25-1994	Sick et al.	Please review all	
10	US- 5,322,932	06-21-1994	Narva et al.	Please review all	
11	US- 5,439,881	08-08-1995	Narva et al.	Please review all	
12	US- 5,468,636	11-21-1995	Payne et al.	Please review all	
	US-				

FOREIGN PATENT DOCUMENTS

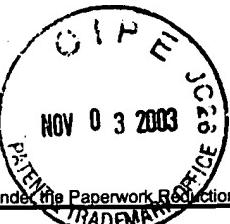
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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First Named Inventor	H. Ernest Schnepf
Art Unit	1645
Examiner Name	

Attorney Docket Number MA-20CCCD4

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	13	HOFTET al., "Insecticidal Crystal Proteins of Bacillus thuringiensis," Microbiological Reviews (1989), pp. 242-255, vol. 53, iss. 2	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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